

REMARKS

This Amendment is prepared in response to the first Office action mailed on 18 October 2005 (Paper No. 20051006). Upon entry of this amendment, claims 1-11, 13-17 and 19-23 will be pending. Applicant has canceled claim 18 without prejudice or disclaimer as to its subject matter by this amendment, amended claims 3, 4, 9, 10 and 17 by this amendment and newly added claim 23 by this amendment.

Election/Restrictions

In view of the amendment filed on September 8, 2005, the restriction requirement is withdrawn.

Rejections of claims 17, 19, 20 and 21 under 35 USC § 102 (b)

Claims 17, 19, 20 and 21 are rejected under 35 USC §102(b) as being anticipated by Paynton '585. Applicant has amended claim 17 by this amendment making this rejection moot.

Rejections of claims 17 and 18 under 35 USC § 102 (b)

Claims 17 and 18 are rejected under 35 USC §102(b) as being anticipated by Olson '148. Applicant traverses the rejection of claim 18.

Applicant's claim 18 claims, "said conductive mesh pattern and said non-conductive material having equal depths between 1 and 50 microns". On page 3 of Paper No. 20051006, the

Examiner addresses this limitation by saying, “Olson further discloses wherein the conductive mesh pattern and the non conductive material have equal depths between 1 and 50 microns (Column 4, lines 1-31).” Applicant disagrees.

Applicant has reviewed column 4, lines 1-31 of Olson along with the entire reference of Olson and can not find any evidence of where screen 40 and adhesive layer 45 are of equal depths. In fact, Applicant submits that Olson as a whole teaches differently, that the screen 40 is embedded within the adhesive layer 45 and is thus has a much smaller depth than the adhesive layer 45. For example, FIG. 2 of Olson clearly shows screen 40 to have a much smaller depth than adhesive layer 45. In fact, screen 40 is embedded within this adhesive as evidenced by FIG. 2 and claim 4 of Olson. Thus, contrary to Applicant’s invention and contrary to Applicant’s claim 18, screen 40 of Olson is not of the same depth as adhesive 45, but is thinner than adhesive 40. Therefore, the rejection of Applicant’s claim 18 is without merit.

Applicant has amended claim 17 by this amendment to incorporate the subject matter of former claim 18 by this amendment.

Claims Rejections of 1, 2, 5, 6, 7, 8, 11, 13, 14, 15 and 16 under 35 USC § 103 (a)

Claims 1, 2, 5, 6, 7, 8, 11, 13, 14, 15 and 16 are rejected 35 U.S.C. §103(a) as being unpatentable over Examiner’s proposed combination of Lee ‘592 and further in view of Saito et al. ‘440 and Kobayashi et al. ‘514. Applicant has the following comments.

Regarding these claim rejections at large, Applicant notes that on Pages 4 and 5 of Paper No. 20051006, the Examiner uses Lee for a teaching of a conductive pattern 46 and a black matrix pattern 47, the conductive pattern being address electrodes formed in a stripe pattern in one direction. The Examiner turns to Saito for a teaching of a conductive mesh used as an EMI filter and to Kobayashi for a teaching of a black matrix layer made out of a photoresist and a dye. The Examiner then infers that Lee as modified according to Saito and Kobayashi teaches Applicant's claimed invention. Applicant disagrees.

To begin with, Applicant submits that the address electrodes 46 of Lee as modified according to mesh 3 of Saito would not result in a mesh layer in the place of the address electrodes 46 of Lee. The address electrodes 46 of Lee are formed in one direction in a striped pattern. The mesh 3 of Saito is formed in two intersecting directions. The address electrodes 46 of Lee are used to electrically select discharge cells while the mesh 3 of Saito is not used to produce the discharge but to filter EMI noise. For these reasons, Applicant submits that Lee as modified according to Saito would not suggest the address electrodes 46 of Lee becoming a mesh. It is well known that the electrodes in the discharge display panel are separate from and provide a separate function from and have a separate design from an EMI mesh in a filter for a display. Thus, it was improper for the Examiner to infer that the mesh 3 of Saito could be a modification to the design of the address electrodes 46 of Lee.

In Applicant's claim 1, Applicant claims, "a negative photoresist pattern patterned on

the substrate on portions not covered by the conductive material pattern to complement the conductive material pattern...” Applicant submits that Lee, Saito and/or Kobayashi, taken either singly or in combination fail to teach or suggest this feature. To begin with, Saito teaches mesh 3 on its own layer and not complemented by another layer. Instead, mesh 3 in Saito is between 4A and 4B and does not share the same level with another layer. Similarly, Kobayashi teaches a light shielding layer 8 on its own level and not sharing the same level or being complemented by anything else, such as a mesh. Although it could be inferred that Lee teaches address electrodes 46 on a same level and complemented by black matrix 47, the address electrodes 46 of Lee could not reasonably be suggestive of a mesh, even when taken in combination with Saito an/or Kobayashi. Because there is a complete absence of a teaching of a plated mesh arranged on a conductive pattern and a negative photoresist layer that complements the conductive pattern as claimed in Applicant’s claim 1, the rejection to claim 1 in Paper No. 20051006 is entirely without merit.

In Applicant’s claim 1, Applicant claims that the negative photoresist comprises a dye that cuts off light of a specific wavelength. On pages 4 and 5 of Paper No. 20051006, the Examiner states that paragraph 0065 of Kobayashi teaches this feature. Applicant disagrees. Applicant has reviewed paragraph 0065 of Kobayashi along with the entire reference of Kobayashi and can not find any evidence of light shielding layer having a dye that cuts off light of a specific wavelength. To the contrary, Kobayashi teaches that the light shielding layer 8 is a black matrix layer that blocks all light, not just light of a specific wavelength. Because of this,

Applicant again submits that the rejection of claim 1 in Paper No. 20051006 is without merit.

Again regarding Applicant's claim 1, Applicant claims a negative photoresist material. On pages 4 and 5 of Paper No. 20051006, the Examiner states that this feature is taught by Kobayashi, and in particular, the black matrix layer or the light shielding layer 8 of Kobayashi. Applicant disagrees. Applicant submits that there is no teaching of any resist being negative in Kobayashi. Further, Applicant submits that this feature of a negative photoresist was never addressed, discussed or examined in the rejection of claim 1 in Paper No. 20051006.

Regarding Applicant's claim 16, Applicant claims "said conductive material pattern adapted to serve as a mask in said exposing step". In Pages 5 and 6 of Paper No. 20051006, the Examiner dismissed this limitation as being a method limitation and thus not limiting an apparatus claim while referring to MPEP 2113. Applicant disagrees. Applicant submits that MPEP 2173.05 (g) clearly states, "In a claim that was directed to a kit of component parts capable of being assembled, the Court held that limitations such as "members adapted to be positioned" and "portions . . . being resiliently dilatable whereby said housing may be slidably positioned" serve to precisely define present structural attributes of interrelated component parts of the claimed assembly. In re Venezia, 530 F.2d 956, 189 USPQ 149 (CCPA 1976)." Thus, it is well held in law that such an "adapted to" limitation as in Applicant's claim 16 duly serves to limit an apparatus claim and thus must be examined.

Rejections of claims 3, 4, 9 and 10 under 35 USC § 103 (a)

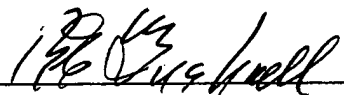
Claims 3, 4, 9 and 10 are rejected under §103(a) as being unpatentable over Examiner's proposed combination of Lee '592, Saito et al. '440 and Kobayashi et al. '514, and further in view of Nakano et al. '813. Applicant has amended these claims by this amendment making their rejections moot. Applicant has amended these claims to include the word "only" to emphasize the fact that the layer does not filter out all light but only light of a certain wavelength.

Applicant has newly added claim 23 by this amendment to emphasize that the non conductive material is on the same level and complements the mesh and blocks only certain wavelengths of light. Entry of and favorable examination is respectfully requested.

A fee of \$120 for a one-month extension of time to and through February 20, 2006 (February 18 being a Saturday) accompanies this amendment. A fee of \$200.00 is also incurred by the addition of one independent claim in excess of 3. Applicant's check drawn to the order of Commissioner accompanies this Amendment. Should the check become lost, be deficient in payment, or should other fees be incurred, the Commissioner is authorized to charge Deposit Account No. 02-4943 of Applicant's undersigned attorney in the amount of such fees.

In view of the foregoing amendments and remarks, this application is deemed to be in condition for examination on the merits. Should any questions arise during the examination, the Examiner is respectfully requested to telephone Applicant's attorney.

Respectfully submitted,


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